



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20503  
WWW.USPTO.GOV

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10 081.885	02 20 2002	Kaufman Stephen	94-00

23713  
GREENLEE WINNER AND SULLIVAN P C  
5370 MANHATTAN CIRCLE  
SUITE 201  
BOULDER, CO 80303



CONFIRMATION NO. 9945

## FORMALITIES LETTER



\*OC00000007710077\*

Date Mailed: 03/25/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

16/20/2002 JBALINAN 00000074 10081885

11 FC:201 370.00 OP  
12 FC:205 65.00 OP  
13 FC:203 27.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$27.
  - \$27 for 3 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 462.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch).
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable

form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*

Y. G.  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
Kaufman : Group Art Unit: 1645  
Serial No. 10/081.885 : Examiner: Not yet assigned  
Filed: February 20, 2002 : Confirmation No.: 9945  
For: DIAGNOSTICS, ASSAY METHODS AND  
AMELIORATION OF MUSCULAR DYSTROPHY  
SYMPTOMS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL in an envelope addressed to the Commissioner for Patents, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

14 June 2002

Date

B. Kroge

B. Kroge

Express Mail Receipt No: EL 946 695 652 US

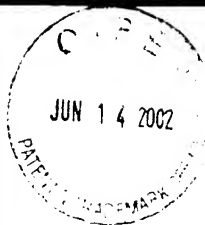
TRANSMITTAL

Commissioner for Patents  
U.S. Patent and Trademark Office  
Box Sequence, P.O. Box 2327  
Arlington, VA 22202

Sir:

In response to the CFR Problem Report attached to Notice to File Missing Parts dated March 25, 2002, enclosed herewith is a replacement write-protected diskette copy of the Sequence Listing in computer-readable form, with a paper copy of the Sequence Listing as pages 1 - 3.

In compliance with 37 C.F.R. §1.821(f), the undersigned states that the content of the paper copies and computer-readable copies of the Sequence Listing are the same. The Sequence Listing (as paper and machine-readable copies) submitted herewith is identical to that filed on February 20, 2002.



Concurrently with this submission, Applicant is filing with the Commission for Patents, Washington, D.C. a Response to Notice to File Missing Parts with the requisite fee and Petition for Extension of Time of one month.

It is believed that no fee is due with this submission; however, if this is incorrect, please deduct from Deposit Account No. 07-1969 the appropriate fee for this submission and any extension of time required.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "DMF", written over the typed name.

Donna M. Ferber  
Reg. No. 33,878

GREENLEE, WINNER AND SULLIVAN, P.C.  
5370 Manhattan Circle, Suite 201  
Boulder, CO 80303  
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Facsimile: (303) 499-8089  
Email: [winner@greenwin.com](mailto:winner@greenwin.com)

Attorney docket No. 94-00  
bmk: June 14, 2002



06-17-02

0590

\$ DIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kaufman

: Group Art Unit: 1645

Serial No. 10/081,885

: Examiner: Not yet assigned

Filed: February 20, 2002

: Confirmation No.: 9945

For: DIAGNOSTICS, ASSAY METHODS AND  
AMELIORATION OF MUSCULAR DYSTROPHY  
SYMPTOMS

CERTIFICATE OF MAILING

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14 June 2002  
Date

B. Kroge  
B. Kroge

Express Mail Receipt No: EL 946 695 666 US

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed March 25, 2002, enclosed herewith are the following:

Check in the amount of \$517.00 (\$370.00 filing fee; \$27.00 additional claims over 20;  
\$65.00 surcharge; and \$55.00 one month extension fee)

Petition for Extension of Time

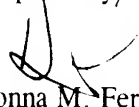
Copy of Formalities Letter (Notice to File Missing Parts)

Executed Inventors' Declaration

12 sheets of formal drawings (Figs. 1 - 12).

If the enclosed amount is incorrect, please charge any deficiency or credit any overpayment to Deposit Account No. 07-1969.

Respectfully submitted,

  
Donna M. Ferber  
Reg. No. 33,878

GREENLEE, WINNER AND SULLIVAN, P.C.  
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Email: [winner@greenwin.com](mailto:winner@greenwin.com)

Attorney docket No. 94-00  
bmk: June 14, 2002